

**MINUTES**  
**LEGISLATIVE GOVERNMENT OVERSIGHT COMMITTEE**  
**July 18 & 19, 2005**

The Legislative Government Oversight Committee met July 18, 2005, in the Legislative Dining Room at the Capitol. Co-Chairperson, Senator Courtney, called the meeting to order at 11:02 a.m. Other members present were:

Senator Michael Connolly  
Senator Ron Wieck

Representative Dwayne Alons  
Representative Joe Hutter, V.C.  
Representative Vicki Lensing, RM  
Representative Clel Baudler  
Representative George Eichhorn  
Representative Scott Raecker  
Representative Roger Thomas  
Representative Wes Whitead  
Representative Cindy Winckler

**APPROVAL OF MINUTES**

The minutes from the June 20 & 21, 2005, meeting were accepted without change.

**DEPARTMENT OF NATURAL RESOURCES**

***Review of Senate Study Bill 1317:***

Mr. Randy Edwards, Assistant Law Enforcement Bureau Chief, Department of Natural Resources, provided a section-by-section summary of the study bill. Mr. Edwards indicated that a change to a two thousand dollar personal property damage threshold for the requirement that an occurrence report be filed with the Natural Resources Commission will reduce paperwork relating to relatively minor accidents or occurrences. He stated that a requirement that personal floatation devices be worn by every person under age thirteen is consistent with federal and state law in the majority of states, clarified that Iowa law requires such devices to be "readily accessible", and mentioned that a definition of accessibility is currently being formulated. Mr. Edwards also summarized aspects of the bill relating to the scoring of points on a gross rather than net basis in specifying damages for illegally taking an antlered deer; a requirement that assessed damages and interest be paid in full rather than pursuant to a payment plan in order to maintain a license, certificate, or permit under specified circumstances and codifying an applicable interest rate of ten percent; and changing a statutorily specified birth date relating to the completion of a hunter safety and ethics education course prior to obtaining a hunting license.

***Lake Odessa Wildlife Refuge:***

Mr. Ken Herring, Division Administrator, Conservation and Recreation Division, Department of Natural Resources, provided a history of the development of the refuge, described shared management responsibilities with the Army Corps of Engineers and the Fish and Wildlife

Service, and detailed flood management and threatened species protection efforts. It was noted that an ongoing issue involves management priorities, specifically federally-mandated waterfowl protection versus recreational usage.

### ***Deer Hunting – Utilization of Rifles – Expanded Seasons:***

Dr. Dale Garner, Bureau Chief, Wildlife Bureau, discussed proposed administrative rules changes which would include extending the January antlerless deer hunting season for an additional seven-day period and permit utilization of high-power rifles in the southern two tiers of counties during that period, with the objective of providing an additional incentive to hunters and thereby reducing the antlerless deer population. Additional rule changes discussed by Dr. Garner included adding a three-day holiday weekend antlerless deer season in November, increasing license quotas for antlerless deer licenses, and the closing of roadways from deer hunting north of US Highway 30. Committee discussion included a request for additional information regarding roadway or over-road shooting.

### **ADJOURNMENT**

Senator Courtney adjourned the meeting at 2:23 p.m.

### ***HSB 302 (Starvation and Dehydration of Persons With Disabilities) Subcommittee Meeting***

Subcommittee members and other interested persons continued discussion regarding House Study Bill 302, creating a Starvation and Dehydration of Persons with Disabilities Prevention Act, and received input from persons involved with the disabled community. Mr. Daniel Wadhams, Jr., representing the Iowa Commission on Persons With Disabilities, Ms. Sally Bowles, a health care professional, Ms. Kathryn Baughman-Reese, representing the Department of Human Rights, Division of Deaf Services, and Mr. John Tenpas and Ms. Jill Fulitano Avery, representing the Department of Human Rights, Division of Persons With Disabilities, discussed concerns and offered suggestions regarding the bill. The next Subcommittee meeting is anticipated to involve members of both the legal and medical communities, and is scheduled for the September meeting.

## **July 19, 2005**

Senator Courtney called the meeting to order at 9:05 a.m.

### **COMPETITIVE BIDDING REQUIREMENTS – STATE LEGISLATION AND MODEL PROCUREMENT CODE.**

The Committee considered the issue of competitive bidding purchasing processes and procedures, noting that sixteen states have adopted the American Bar Association's Model Procurement Code, which represents a broader focus than House File 829 (Bidding Requirements for State Executive Branch Purchases) from the 2005 legislative session. Mr. Mark Johnson, Department of Administrative Services, distributed handouts summarizing the department's concerns regarding House File 829, and addressing issues relating to master agreements and potential coordination with the provisions of the Model Procurement Code. Representatives from agencies or institutions present at the meeting and currently involved in

the procurement process were asked to comment, and it was noted that in many cases procedures currently being followed closely tracked Code provisions. Committee discussion included; the number of and necessity for contracts extending beyond a five-year duration; the variation in purchasing thresholds and procedures depending upon the type of product or service and agency involved; the extent to which preferences for Iowa-based businesses are granted and whether this is addressed in the potential legislation and Model Procurement Code; the merits of closely tracking and consolidating master contract information; the observation that there appeared to be varying levels of enthusiasm among the affected agencies regarding potential adoption of the Code; and the necessity for obtaining additional information and evaluation relating to this issue. Ultimately, the Committee passed by unanimous vote a motion that state and local agencies and entities involved in competitive bidding purchasing processes and procedures review the American Bar Association Model Procurement Code, and submit a position paper or papers regarding the potential adoption of the Code in the state of Iowa prior to the committee's October meeting date. The motion additionally provided that the Committee develop and submit legislation during the 2006 legislative session establishing a blue ribbon panel or task force to review purchasing processes and procedures utilized by the state and other public entities within the state, including a review of the Model Procurement Code and purchasing practices and procedures of other states and public entities outside this state. Membership of the panel or task force shall be determined by the Committee, and shall include, but not be limited to, political subdivisions authorized to purchase goods and services through the use of public bidding procedures, state agencies with independent purchasing authority, state agencies that purchase goods and services through the department of administrative services, the department of administrative services, the office of the attorney general, and vendors who provide goods and services to public entities in this state. The panel or task force shall develop recommendations for legislative proposals, with the assistance of the Legislative Services Agency, by a date determined by the Committee.

#### **OTHER BUSINESS:**

The Committee reviewed the list of topics for future meetings and selected topics for the September meeting.

#### **ADJOURNMENT:**

Senator Courtney adjourned the meeting at 11:52 a.m.

**NEXT MEETING:** The next meeting of the Government Oversight Committee has been scheduled for September 19th and 20th, 2005. Starting time 11:00 a.m. and the meeting location is Room 116, State Capitol Building.